

Doc Code: AP.PRE.REQ

PTO/SB/33 (01-09)

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PRE-APPEAL BRIEF REQUEST FOR REVIEW		Docket Number (Optional) SON-2981									
	Application Number 10/809,432-Conf. #8124	Filed March 26, 2004									
	First Named Inventor Nobukata Okano et al.										
	Art Unit 2613	Examiner D. S. Kim									
<p>Applicant requests review of the final rejection in the above-identified application. No amendments are being filed with this request.</p> <p>This request is being filed with a notice of appeal.</p> <p>The review is requested for the reason(s) stated on the attached sheet(s). Note: No more than five (5) pages may be provided.</p> <p>I am the</p> <table><tr><td><input type="checkbox"/> applicant /inventor.</td><td>_____ Signature</td></tr><tr><td><input type="checkbox"/> assignee of record of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)</td><td><u>Ronald P. Kananen/Christopher M. Tobin</u> Typed or printed name</td></tr><tr><td><input checked="" type="checkbox"/> attorney or agent of record. Registration number <u>24,104/40,290</u></td><td><u>(202) 955-3750</u> Telephone number</td></tr><tr><td><input type="checkbox"/> attorney or agent acting under 37 CFR 1.34. Registration number if acting under 37 CFR 1.34. _____</td><td><u>March 13, 2009</u> Date</td></tr></table> <p>NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below*.</p>				<input type="checkbox"/> applicant /inventor.	_____ Signature	<input type="checkbox"/> assignee of record of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)	<u>Ronald P. Kananen/Christopher M. Tobin</u> Typed or printed name	<input checked="" type="checkbox"/> attorney or agent of record. Registration number <u>24,104/40,290</u>	<u>(202) 955-3750</u> Telephone number	<input type="checkbox"/> attorney or agent acting under 37 CFR 1.34. Registration number if acting under 37 CFR 1.34. _____	<u>March 13, 2009</u> Date
<input type="checkbox"/> applicant /inventor.	_____ Signature										
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<input checked="" type="checkbox"/> *Total of <u>1</u> forms are submitted.											



Docket No.: SON-2981
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Nobukata Okano et al.

Application No.: 10/809,432

Confirmation No.: 8124

Filed: March 26, 2004

Art Unit: 2613

For: COMMUNICATIONS SYSTEM AND
COMMUNICATIONS LIGHTING
APPARATUS

Examiner: D. S. Kim

REQUEST FOR PRE-APPEAL BRIEF PANEL REVIEW OF FINAL REJECTION

MS AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Madam:

The previous Notice of Panel Decision from Pre-Appeal Brief Review dated October 17, 2007 reopened prosecution of the present application. A new non-final Office Action dated December 21, 2007, a subsequent non-final Office Action dated June 12, 2008, and a Final Office Action dated December 19, 2008 can be found within the present application.

Accordingly, this is in full and timely response the Final Office Action dated December 19, 2008.

Dowling - The Office Action readily admits that Figure 5 of Dowling fails to disclose, teach, or suggest a communication system wherein said information-transmitting unit has light sources, a light beam from one of said light sources being emitted independent of a light beam from another of said light sources (Office Action at pages 9-10).

Instead, the Office Action refers to Hiramatsu (Office Action at page 10).

The Office Action refers to Figure 7 of Dowling for the claimed features of a communication system wherein said information-transmitting unit is mounted on said illumination light source (Office Action at page 10).

In response, Dowling arguably teaches that the modular lighting subsystem 700 may include a base 702 that forms a universal platform for a number of modules 710, 712, 714, 716 (Dowling at page 44, lines 16-17). Each module 710, 712, 714, 716 may fit into a cradle within the base 702, which may be any shape adapted to receive the module (Dowling at page 45, lines 4-5).

The Office Action contends the mounting of module 716 onto base 702 in Fig. 7. Module 716 is an output device that may emit an optical signal (p. 45, I. 17-19) (Office Action at page 10).

In response, Dowling arguably teaches that the base 702 may include a light 720, such as an LED source or some other light source, and that the light 720 may form a discrete lighting area, such as a lens, within the base 702, or the base 702 may be formed of a diffusing material so that the light 720 provides illumination throughout the base 702 (Dowling at page 44, lines 18-21).

The Office Action appears to associate the base 702 of Dowling with an illumination light source (Office Action at page 10).

Additionally, the Office Action appears to associate the base 702 of Dowling with an illumination light source (Office Action at page 10).

Here, a fourth module 716 may provide output devices such as a speaker, an LED or LCD display, additional lights or LED's, or some other output device (Dowling at page 45, lines 17-19).

Nevertheless, Dowling fails to disclose, teach, or suggest that a light beam from one of the light sources of the fourth module 716 of Dowling is emitted independent of a light beam from another of the light sources of the fourth module, 716 of Dowling.

Hiramatsu - Hiramatsu arguably teaches that in FIG. 1, the transmitter-receivers 114 through 116 transmit beams toward the imaging receiver 101 (Hiramatsu at column 5, lines 56-59).

- **However, Hiramatsu fails to disclose, teach, or suggest a communications system wherein said information-transmitting unit is mounted on an illumination light source.**

Combination of Dowling and Hiramatsu - Hiramatsu fails to disclose, teach, or suggest any of the transmitter-receivers 114 through 116 being mounted on an illumination light source (Hiramatsu at Figure 1).

The Office Action asserts that Hiramatsu is not relied upon to address the feature of the information-transmitting unit being mounted on the illumination light source (Office Action at page 10).

Instead, the Office Action refers to Figure 7 of Dowling to address the feature of the information-transmitting unit being mounted on the illumination light source (Office Action at page 10).

Moreover, Dowling fails to disclose, teach, or suggest element 132 as being mounted on an illumination light source (Dowling at Figure 5).

Likewise, Dowling fails to disclose, teach, or suggest the fourth module 716 as being controllable by a signal (Dowling at Figure 7).

Thus, the Office Action fails to provide any objective evidence to explain why the skilled artisan would have been motivated to modify the lighting subsystem 130 of Dowling by replacing element 132 of Dowling with the fourth module 716.

Hiramatsu arguably teaches the presence of a portable terminal 110 (Hiramatsu at column 5, line 46).

Nevertheless, Hiramatsu fails to disclose, teach, or suggest the portable terminal 110 being mounted on an illumination light source (Hiramatsu at Figure 1). Likewise, Hiramatsu fails to disclose, teach, or suggest the card-type transmitter-receiver unit 114 being mounted on an illumination light source (Hiramatsu at Figure 1).

Dowling fails to disclose, teach, or suggest the fourth module 716 as being a portable terminal 110 (Hiramatsu at Figure 1).

As a consequence, the Office Action fails to provide any objective evidence to explain why the skilled artisan would have been motivated to modify the modular subsystem 700 of Dowling by replacing the fourth module 716 of Dowling with the portable terminal 110 or card-type transmitter-receiver unit 114 of Hiramatsu.

Hiramatsu arguably teaches the presence of a computer 111 (Hiramatsu at column 5, line 46).

Nevertheless, Hiramatsu fails to disclose, teach, or suggest the computer 111 being mounted on an illumination light source (Hiramatsu at Figure 1). Likewise, Hiramatsu fails to disclose, teach, or suggest the card-type transmitter-receiver unit 115 being mounted on an illumination light source (Hiramatsu at Figure 1).

Dowling fails to disclose, teach, or suggest the fourth module 716 as being a computer 111 (Hiramatsu at Figure 1).

As a consequence, the Office Action fails to provide any objective evidence to explain why the skilled artisan would have been motivated to modify the modular subsystem 700 of Dowling by replacing the fourth module 716 of Dowling with the computer 111 or card-type transmitter-receiver unit 115 of Hiramatsu.

Whereas Hiramatsu arguably teaches a printer 112 (Hiramatsu at column 5, line 46), Hiramatsu fails to disclose, teach, or suggest the printer 112 being mounted on an illumination light

source (Hiramatsu at Figure 1). Likewise, Hiramatsu *fails* to disclose, teach, or suggest the card-type transmitter-receiver unit 116 being mounted on an illumination light source (Hiramatsu at Figure 1).

Dowling *fails* to disclose, teach, or suggest the fourth module 716 as being a printer 112 (Hiramatsu at Figure 1).

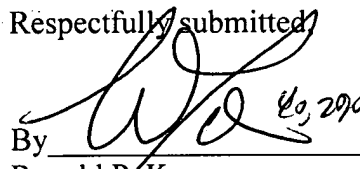
As a consequence, the Office Action *fails* to provide any objective evidence to explain why the skilled artisan would have been motivated to modify the modular subsystem 700 of Dowling by replacing the fourth module 716 of Dowling with the printer 112 card-type transmitter-receiver unit 116 of Hiramatsu.

Brooks, Leeb, Newton, Ramaswami and Service - Brooks, Leeb, Newton, Ramaswami and Service either individually or as a whole, *fail* to disclose, teach, or suggest a communications system wherein said information-transmitting unit is mounted on an illumination light source.

Thus, either individually or as a whole, the art applied in the rejection of the claims fail to teach a communication system wherein said information-transmitting unit has light sources, a light beam from one of said light sources being emitted independent of a light beam from another of said light sources.

Dated: March 13, 2009

Respectfully submitted

By  4/2, 2010

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